

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

GREGORY ZERKEL and  
ASA BOWERS, as successors in interest to  
Mason Dixon Natural Resources, LLC,

Plaintiffs,

v.

Civil Action No 1:11cv19

TRINITY RESOURCES, INC.,

Defendant.

**ORDER/OPINION**

This matter is before the Court pursuant to Plaintiffs' Motion for Costs of Service Against Trinity Resources, Inc. Filed May 31, 2011 [DE9]. The motion was referred to the undersigned United States Magistrate Judge by Order entered June 1, 2011 [DE 11]. Defendant filed its Response on June 22, 2011 [DE 12], stating it did not contest Plaintiff's Motion, and therefore does not object to the Court entering an order granting said motion and ordering Defendant to pay costs of \$40.00 for service of process, plus \$240.00 for attorney's fees.

Accordingly, and for reasons apparent to the Court, Plaintiff's Motion [DE 9] is **GRANTED**. Trinity Resources, Inc. is **ORDERED** to pay to Plaintiff, through their counsel, the amount of \$40.00 for cost of service upon Defendant, and \$240.00 for attorney's fees, for a total of \$280.00.

Dated: June 28, 2011.

*John S. Kaull*

JOHN S. KAULL  
UNITED STATES MAGISTRATE JUDGE